

REMARKS

Applicant has filed the present Amendment and Response in reply to the outstanding Official Action of July 25, 2007, and the Applicant believes the Amendment and Response to be fully responsive to the Official Action for the reasons set forth below in greater detail.

Applicant notes that Claims 37-42 have been amended herewith. Claim 37 has been amended to recite, *inter alia*, that the external reception apparatus includes a storage section for storing image data and information from said capsulated medical device. Claim 37 has been amended to correct a minor error. Claims 38-42 have been amended for consistency; the apparatus is the **medical** apparatus. Applicant also notes that Claims 44-46 have been added to the application for examination. Claim 44 is directed to the subject matter of an external reception apparatus having a central processing unit (CPU) adapted to read image data stored in the storage section. Claim 45 recites that the communication section is connected to the CPU. Claim 46 recites that the medical apparatus further comprises a control section for controlling the display section. Claim 43 has been cancelled.

No new matter has been added to the application by way of the aforementioned amendments.

For example, Applicant directs the Examiner's attention to Figure 13 and its corresponding description. Applicant further directs the Examiner's attention to pages 12-14. Applicant notes that the above-identified sections are presented only as examples of support, and are not an exhaustive list of support.

In the Official Action, Claims 37-40 and 43 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by U.S. Patent Pub. 2004/0068204 (Imran et al.) (hereinafter "Imran"). Claims

37-43 stand rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent Pub 2002/0103417 (Gazdzinski et al.) (hereinafter “Gazdzinski”) in view of U.S. Patent Pub. 2003/0139661 (Kimchy et al.) (hereinafter “Kimchy”).

Applicant submits that the cited references, whether taken alone or in any hypothetical combination thereof, fail to teach or suggest each and every limitation of the claims.

Specifically, Applicant submits that the references fail to teach that the external reception apparatus includes a storage section for storing image data and information from the capsulated medical device.

Gazdzinski fails to teach a receiving device with a storage section. Figure 9 of Gazdzinski illustrates that element 802 does not include any storage section in spite of the Examiner’s arguments to the contrary. Figure 9 illustrates that the receiving device 802 includes a clock 702, a power transfer ckt 700, power supply, modulator, demodulator 911, and inductor terminals. None of these elements has been considered a storage section. Imran and Kimchy fail to cure this deficiency.

For example, the leads or pods described in Imran do not include a storage section. Figure 2 of Imran illustrates that the pod comprises a casing enclosing a transducer and an RF coil. The RF coil is coupled through wires to the recorder. The Examiner asserts that the external reception device includes memory, citing paragraph 100. However, the cited paragraph describes the recorder and not the pods. According to the Examiner’s own interpretation, the pods allegedly are the external reception device, not the recorder. RAM 144 is clearly located in the recorder 105.

Accordingly, Applicant submits that independent Claim 37 is patentable over the cited references; the references fail to teach or suggest all of the limitations of the claims.

Applicant further submits that Claims 38-42 and 44-46 are patentable over the cited references based at least upon the above-identified analysis and in view of their dependency, whether directly, or indirectly, from Claim 37.

Applicant further submits that new Claims 44 and 45 are separately patentable over the cited references based upon at least the following additional analysis. Claim 44 recites wherein the external reception apparatus comprises a central processing unit (CPU) adapted to read image data stored in the storage section. Claim 45 recites that the communication section is connected to the CPU. None of the cited references teach that the external reception device comprises a CPU.

Figure 9 of Gazdzinski illustrates that the receiving device 802 includes a clock 702, a power transfer ckt 700, power supply, modulator, demodulator 911 and inductor terminals. None of these elements has been considered a CPU. Imran and Kimchy fail to cure this deficiency.

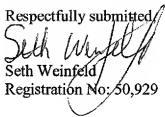
For example, the leads or pods described in Imran do not include a CPU. Figure 2 of Imran illustrates that the pod comprises a casing enclosing a transducer and an RF coil. Accordingly, Applicant submits that Claims 44 and 45 are patentable over the cited references; the references fail to teach or suggest all of the limitations of the claims.

In view of the above-identified analysis, Applicant respectfully requests that the Examiner withdraw the rejection of Claims 37-40 pursuant to 35 U.S.C. § 102 (e).

Additionally, Applicant respectfully requests that the Examiner withdraw the rejection of Claims 37-42 pursuant to 35 U.S.C. § 103 (a). Applicant respectfully requests that the Examiner allow new Claims 44-46.

Accordingly, based upon the foregoing, Applicant submits that the application is in condition for allowance. Applicant also notes that Applicant is willing to have a telephone

interview with the Examiner prior to the Examiner issuing an Official Action to expedite prosecution of this matter. Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,

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